

In the Senate of the United States,

September 23 (legislative day, September 22), 1999.

Resolved, That the bill from the House of Representatives (H.R. 2466) entitled “An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *Department of the Interior and related agencies for the fis-*
4 *cal year ending September 30, 2000, and for other purposes,*
5 *namely:*

6 *TITLE I—DEPARTMENT OF THE INTERIOR*

7 *BUREAU OF LAND MANAGEMENT*

8 *MANAGEMENT OF LANDS AND RESOURCES*

9 *For expenses necessary for protection, use, improve-*
10 *ment, development, disposal, cadastral surveying, classifica-*

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$187,444,000, to remain available until expended: Provided, That within the funds available, \$250,000 shall be used to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri: Provided further, That none of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack's Fork River—Eleven Point Watershed (not including Mark Twain National Forest land in Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of enactment of this Act): Provided further, That none of the funds in this Act may be used by the Secretary of the Interior to segregate or withdraw land in the Mark Twain National Forest, Missouri under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714).

1 *From any unobligated balances available at the start*
2 *of fiscal year 2000, the amount of \$11,550,000 shall be allo-*
3 *cated to the Alaska Region, in addition to the funds appro-*
4 *riated to sell timber in the Alaska Region under this Act,*
5 *for expenses directly related to preparing sufficient addi-*
6 *tional timber for sale in the Alaska Region to establish a*
7 *three-year timber supply.*

8 *Of any funds available to Region 10 of the Forest Serv-*
9 *ice, exclusive of funds for timber sales management or road*
10 *reconstruction/construction, \$7,000,000 shall be used in fis-*
11 *cal year 2000 to support implementation of the recent*
12 *amendments to the Pacific Salmon Treaty with Canada*
13 *which require fisheries enhancements on the Tongass Na-*
14 *tional Forest.*

15 *The Forest Service is authorized through the Forest*
16 *Service existing budget to reimburse Harry Fray for the*
17 *cost of his home, \$143,406 (1997 dollars) destroyed by arson*
18 *on June 21, 1990 in retaliation for his work with the Forest*
19 *Service.*

20 *DEPARTMENT OF ENERGY*

21 *CLEAN COAL TECHNOLOGY*

22 *(DEFERRAL)*

23 *Of the funds made available under this heading for*
24 *obligation in prior years, \$156,000,000 shall not be avail-*
25 *able until October 1, 2000: Provided, That funds made*

1 *available in previous appropriations Acts shall be available*
2 *for any ongoing project regardless of the separate request*
3 *for proposal under which the project was selected.*

4 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

5 *For necessary expenses in carrying out fossil energy*
6 *research and development activities, under the authority of*
7 *the Department of Energy Organization Act (Public Law*
8 *95–91), including the acquisition of interest, including de-*
9 *feasible and equitable interests in any real property or any*
10 *facility or for plant or facility acquisition or expansion,*
11 *and for conducting inquiries, technological investigations*
12 *and research concerning the extraction, processing, use, and*
13 *disposal of mineral substances without objectionable social*
14 *and environmental costs (30 U.S.C. 3, 1602, and 1603),*
15 *performed under the minerals and materials science pro-*
16 *grams at the Albany Research Center in Oregon,*
17 *\$390,975,000, to remain available until expended, of which*
18 *\$24,000,000 shall be derived by transfer from unobligated*
19 *balances in the Biomass Energy Development account: Pro-*
20 *vided, That no part of the sum herein made available shall*
21 *be used for the field testing of nuclear explosives in the re-*
22 *covery of oil and gas.*

1 *ALTERNATIVE FUELS PRODUCTION*

2 *(INCLUDING TRANSFER OF FUNDS)*

3 *Moneys received as investment income on the principal*
4 *amount in the Great Plains Project Trust at the Norwest*
5 *Bank of North Dakota, in such sums as are earned as of*
6 *October 1, 1999, shall be deposited in this account and im-*
7 *mediately transferred to the general fund of the Treasury.*
8 *Moneys received as revenue sharing from operation of the*
9 *Great Plains Gasification Plant and settlement payments*
10 *shall be immediately transferred to the general fund of the*
11 *Treasury.*

12 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

13 *The requirements of 10 U.S.C. 7430(b)(2)(B) shall not*
14 *apply to fiscal year 2000: Provided, That, notwithstanding*
15 *any other provision of law, unobligated funds remaining*
16 *from prior years shall be available for all naval petroleum*
17 *and oil shale reserve activities.*

18 *ENERGY CONSERVATION*

19 *For necessary expenses in carrying out energy con-*
20 *servation activities, \$684,817,000, to remain available until*
21 *expended, of which \$1,600,000 shall be for grants to munic-*
22 *ipal governments for cost-shared research projects in build-*
23 *ings, municipal processes, transportation and sustainable*
24 *urban energy systems, and of which \$25,000,000 shall be*
25 *derived by transfer from unobligated balances in the Bio-*

1 *mass Energy Development account: Provided, That*
2 *\$168,000,000 shall be for use in energy conservation pro-*
3 *grams as defined in section 3008(3) of Public Law 99-509*
4 *(15 U.S.C. 4507): Provided further, That notwithstanding*
5 *section 3003(d)(2) of Public Law 99-509, such sums shall*
6 *be allocated to the eligible programs as follows:*
7 *\$135,000,000 for weatherization assistance grants and*
8 *\$33,000,000 for State energy conservation grants.*

9 *ECONOMIC REGULATION*

10 *For necessary expenses in carrying out the activities*
11 *of the Office of Hearings and Appeals, \$2,000,000, to re-*
12 *main available until expended.*

13 *STRATEGIC PETROLEUM RESERVE*

14 *For necessary expenses for Strategic Petroleum Reserve*
15 *facility development and operations and program manage-*
16 *ment activities pursuant to the Energy Policy and Con-*
17 *servation Act of 1975, as amended (42 U.S.C. 6201 et seq.),*
18 *\$159,000,000, to remain available until expended: Pro-*
19 *vided, That the Secretary of Energy hereafter may transfer*
20 *to the SPR Petroleum Account such funds as may be nec-*
21 *essary to carry out drawdown and sale operations of the*
22 *Strategic Petroleum Reserve initiated under section 161 of*
23 *the Energy Policy and Conservation Act (42 U.S.C. 6241)*
24 *from any funds available to the Department of Energy*
25 *under this or any other Act. All funds transferred pursuant*

1 *to this authority must be replenished as promptly as pos-*
2 *sible from oil sale receipts pursuant to the drawdown and*
3 *sale.*

4 *ENERGY INFORMATION ADMINISTRATION*

5 *For necessary expenses in carrying out the activities*
6 *of the Energy Information Administration, \$70,500,000, to*
7 *remain available until expended.*

8 *ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY*

9 *Appropriations under this Act for the current fiscal*
10 *year shall be available for hire of passenger motor vehicles;*
11 *hire, maintenance, and operation of aircraft; purchase, re-*
12 *pair, and cleaning of uniforms; and reimbursement to the*
13 *General Services Administration for security guard serv-*
14 *ices.*

15 *From appropriations under this Act, transfers of sums*
16 *may be made to other agencies of the Government for the*
17 *performance of work for which the appropriation is made.*

18 *None of the funds made available to the Department*
19 *of Energy under this Act shall be used to implement or fi-*
20 *nance authorized price support or loan guarantee programs*
21 *unless specific provision is made for such programs in an*
22 *appropriations Act.*

23 *The Secretary is authorized to accept lands, buildings,*
24 *equipment, and other contributions from public and private*
25 *sources and to prosecute projects in cooperation with other*
26 *agencies, Federal, State, private or foreign: Provided, That*

1 revenues and other moneys received by or for the account
2 of the Department of Energy or otherwise generated by sale
3 of products in connection with projects of the Department
4 appropriated under this Act may be retained by the Sec-
5 retary of Energy, to be available until expended, and used
6 only for plant construction, operation, costs, and payments
7 to cost-sharing entities as provided in appropriate cost-
8 sharing contracts or agreements: Provided further, That the
9 remainder of revenues after the making of such payments
10 shall be covered into the Treasury as miscellaneous receipts:
11 Provided further, That any contract, agreement, or provi-
12 sion thereof entered into by the Secretary pursuant to this
13 authority shall not be executed prior to the expiration of
14 30 calendar days (not including any day in which either
15 House of Congress is not in session because of adjournment
16 of more than three calendar days to a day certain) from
17 the receipt by the Speaker of the House of Representatives
18 and the President of the Senate of a full comprehensive re-
19 port on such project, including the facts and circumstances
20 relied upon in support of the proposed project.

21 No funds provided in this Act may be expended by the
22 Department of Energy to prepare, issue, or process procure-
23 ment documents for programs or projects for which appro-
24 priations have not been made.

1 *In addition to other authorities set forth in this Act,*
2 *the Secretary may accept fees and contributions from public*
3 *and private sources, to be deposited in a contributed funds*
4 *account, and prosecute projects using such fees and con-*
5 *tributions in cooperation with other Federal, State or pri-*
6 *vate agencies or concerns.*

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

11 *For expenses necessary to carry out the Act of August*
12 *5, 1954 (68 Stat. 674), the Indian Self-Determination Act,*
13 *the Indian Health Care Improvement Act, and titles II and*
14 *III of the Public Health Service Act with respect to the In-*
15 *dian Health Service, \$2,138,001,000, together with pay-*
16 *ments received during the fiscal year pursuant to 42 U.S.C.*
17 *238(b) for services furnished by the Indian Health Service:*
18 *Provided, That funds made available to tribes and tribal*
19 *organizations through contracts, grant agreements, or any*
20 *other agreements or compacts authorized by the Indian Self-*
21 *Determination and Education Assistance Act of 1975 (25*
22 *U.S.C. 450), shall be deemed to be obligated at the time*
23 *of the grant or contract award and thereafter shall remain*
24 *available to the tribe or tribal organization without fiscal*
25 *year limitation: Provided further, That \$12,000,000 shall*

1 in section 502 of the Congressional Budget Act of 1974: Pro-
2 vided further, That these funds are available to subsidize
3 total loan principal, any part of which is to be guaranteed,
4 not to exceed \$200,000,000. The Trust is authorized to issue
5 obligations to the Secretary of the Treasury pursuant to sec-
6 tion 104(d)(3) of the Act, in an amount not to exceed
7 \$20,000,000.

8 TITLE III—GENERAL PROVISIONS

9 SEC. 301. The expenditure of any appropriation under
10 this Act for any consulting service through procurement
11 contract, pursuant to 5 U.S.C. 3109, shall be limited to
12 those contracts where such expenditures are a matter of pub-
13 lic record and available for public inspection, except where
14 otherwise provided under existing law, or under existing
15 Executive Order issued pursuant to existing law.

16 SEC. 302. No part of any appropriation under this
17 Act shall be available to the Secretary of the Interior or
18 the Secretary of Agriculture for the leasing of oil and nat-
19 ural gas by noncompetitive bidding on publicly owned
20 lands within the boundaries of the Shawnee National For-
21 est, Illinois: Provided, That nothing herein is intended to
22 inhibit or otherwise affect the sale, lease, or right to access
23 to minerals owned by private individuals.

24 SEC. 303. No part of any appropriation contained in
25 this Act shall be available for any activity or the publica-

1 *tion or distribution of literature that in any way tends to*
2 *promote public support or opposition to any legislative pro-*
3 *posal on which congressional action is not complete.*

4 *SEC. 304. No part of any appropriation contained in*
5 *this Act shall remain available for obligation beyond the*
6 *current fiscal year unless expressly so provided herein.*

7 *SEC. 305. None of the funds provided in this Act to*
8 *any department or agency shall be obligated or expended*
9 *to provide a personal cook, chauffeur, or other personal serv-*
10 *ants to any officer or employee of such department or agen-*
11 *cy except as otherwise provided by law.*

12 *SEC. 306. No assessments may be levied against any*
13 *program, budget activity, subactivity, or project funded by*
14 *this Act unless advance notice of such assessments and the*
15 *basis therefor are presented to the Committees on Appro-*
16 *priations and are approved by such Committees.*

17 *SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN*
18 *ACT.—None of the funds made available in this Act may*
19 *be expended by an entity unless the entity agrees that in*
20 *expending the funds the entity will comply with sections*
21 *2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–*
22 *10c; popularly known as the “Buy American Act”).*

23 *(b) SENSE OF CONGRESS; REQUIREMENT REGARDING*
24 *NOTICE.—*

(1) *PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.*—*In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.*

(2) *NOTICE TO RECIPIENTS OF ASSISTANCE.*—*In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.*

(c) *PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.*—*If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or sub-contract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility proce-*

1 *dures described in sections 9.400 through 9.409 of title 48,*
2 *Code of Federal Regulations.*

3 *SEC. 308. None of the funds in this Act may be used*
4 *to plan, prepare, or offer for sale timber from trees classified*
5 *as giant sequoia (*Sequoiadendron giganteum*) which are lo-*
6 *cated on National Forest System or Bureau of Land Man-*
7 *agement lands in a manner different than such sales were*
8 *conducted in fiscal year 1999.*

9 *SEC. 309. None of the funds made available by this*
10 *Act may be obligated or expended by the National Park*
11 *Service to enter into or implement a concession contract*
12 *which permits or requires the removal of the underground*
13 *lunchroom at the Carlsbad Caverns National Park.*

14 *SEC. 310. None of the funds appropriated or otherwise*
15 *made available by this Act may be used for the AmeriCorps*
16 *program, unless the relevant agencies of the Department of*
17 *the Interior and/or Agriculture follow appropriate re-*
18 *programming guidelines: Provided, That if no funds are*
19 *provided for the AmeriCorps program by the Departments*
20 *of Veterans Affairs and Housing and Urban Development,*
21 *and Independent Agencies Appropriations Act, 1999, then*
22 *none of the funds appropriated or otherwise made available*
23 *by this Act may be used for the AmeriCorps programs.*

24 *SEC. 311. None of the funds made available in this*
25 *Act may be used: (1) to demolish the bridge between Jersey*

1 *City, New Jersey, and Ellis Island; or (2) to prevent pedes-*
2 *trian use of such bridge, when it is made known to the Fed-*
3 *eral official having authority to obligate or expend such*
4 *funds that such pedestrian use is consistent with generally*
5 *accepted safety standards.*

6 *SEC. 312. (a) LIMITATION OF FUNDS.—None of the*
7 *funds appropriated or otherwise made available pursuant*
8 *to this Act shall be obligated or expended to accept or proc-*
9 *ess applications for a patent for any mining or mill site*
10 *claim located under the general mining laws.*

11 *(b) EXCEPTIONS.—The provisions of subsection (a)*
12 *shall not apply if the Secretary of the Interior determines*
13 *that, for the claim concerned: (1) a patent application was*
14 *filed with the Secretary on or before September 30, 1994;*
15 *and (2) all requirements established under sections 2325*
16 *and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)*
17 *for vein or lode claims and sections 2329, 2330, 2331, and*
18 *2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37)*
19 *for placer claims, and section 2337 of the Revised Statutes*
20 *(30 U.S.C. 42) for mill site claims, as the case may be,*
21 *were fully complied with by the applicant by that date.*

22 *(c) REPORT.—On September 30, 2000, the Secretary*
23 *of the Interior shall file with the House and Senate Com-*
24 *mittees on Appropriations and the Committee on Resources*
25 *of the House of Representatives and the Committee on En-*

1 *ergy and Natural Resources of the Senate a report on ac-*
2 *tions taken by the Department under the plan submitted*
3 *pursuant to section 314(c) of the Department of the Interior*
4 *and Related Agencies Appropriations Act, 1997 (Public*
5 *Law 104–208).*

6 (d) *MINERAL EXAMINATIONS.*—*In order to process*
7 *patent applications in a timely and responsible manner,*
8 *upon the request of a patent applicant, the Secretary of the*
9 *Interior shall allow the applicant to fund a qualified third-*
10 *party contractor to be selected by the Bureau of Land Man-*
11 *agement to conduct a mineral examination of the mining*
12 *claims or mill sites contained in a patent application as*
13 *set forth in subsection (b). The Bureau of Land Manage-*
14 *ment shall have the sole responsibility to choose and pay*
15 *the third-party contractor in accordance with the standard*
16 *procedures employed by the Bureau of Land Management*
17 *in the retention of third-party contractors.*

18 *SEC. 313. Notwithstanding any other provision of law,*
19 *amounts appropriated to or earmarked in committee re-*
20 *ports for the Bureau of Indian Affairs and the Indian*
21 *Health Service by Public Laws 103–138, 103–332, 104–*
22 *134, 104–208, 105–83, and 105–277 for payments to tribes*
23 *and tribal organizations for contract support costs associ-*
24 *ated with self-determination or self-governance contracts,*
25 *grants, compacts, or annual funding agreements with the*

1 *Bureau of Indian Affairs or the Indian Health Service as*
2 *funded by such Acts, are the total amounts available for*
3 *fiscal years 1994 through 1999 for such purposes, except*
4 *that, for the Bureau of Indian Affairs, tribes and tribal or-*
5 *ganizations may use their tribal priority allocations for*
6 *unmet indirect costs of ongoing contracts, grants, self-gov-*
7 *ernance compacts or annual funding agreements.*

8 *SEC. 314. Notwithstanding any other provision of law,*
9 *for fiscal year 2000 the Secretaries of Agriculture and the*
10 *Interior are authorized to limit competition for watershed*
11 *restoration project contracts as part of the “Jobs in the*
12 *Woods” component of the President’s Forest Plan for the*
13 *Pacific Northwest or the Jobs in the Woods Program estab-*
14 *lished in Region 10 of the Forest Service to individuals and*
15 *entities in historically timber-dependent areas in the States*
16 *of Washington, Oregon, northern California and Alaska*
17 *that have been affected by reduced timber harvesting on*
18 *Federal lands.*

19 *SEC. 315. None of the funds collected under the Rec-*
20 *reational Fee Demonstration program may be used to plan,*
21 *design, or construct a visitor center or any other permanent*
22 *structure without prior approval of the House and the Sen-*
23 *ate Committees on Appropriations if the estimated total*
24 *cost of the facility exceeds \$500,000.*

1 *SEC. 316. (a) None of the funds made available in this*
2 *Act or any other Act providing appropriations for the De-*
3 *partment of the Interior, the Forest Service or the Smithso-*
4 *nian Institution may be used to submit nominations for*
5 *the designation of Biosphere Reserves pursuant to the Man*
6 *and Biosphere program administered by the United Na-*
7 *tions Educational, Scientific, and Cultural Organization.*

8 *(b) The provisions of this section shall be repealed*
9 *upon enactment of subsequent legislation specifically au-*
10 *thorizing United States participation in the Man and Bio-*
11 *sphere program.*

12 *SEC. 317. None of the funds made available in this*
13 *or any other Act for any fiscal year may be used to des-*
14 *ignate, or to post any sign designating, any portion of Ca-*
15 *naveral National Seashore in Brevard County, Florida, as*
16 *a clothing-optional area or as an area in which public nu-*
17 *dity is permitted, if such designation would be contrary to*
18 *county ordinance.*

19 *SEC. 318. Of the funds provided to the National En-*
20 *dowment for the Arts—*

21 *(1) The Chairperson shall only award a grant to*
22 *an individual if such grant is awarded to such indi-*
23 *vidual for a literature fellowship, National Heritage*
24 *Fellowship, or American Jazz Masters Fellowship.*

(2) *The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.*

(3) *No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.*

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account

1 *to the credit of the appropriate endowment for the purposes*
2 *specified in each case.*

3 *SEC. 320. No part of any appropriation contained in*
4 *this Act shall be expended or obligated to fund new revisions*
5 *of national forest land management plans until new final*
6 *or interim final rules for forest land management planning*
7 *are published in the Federal Register. Those national forests*
8 *which are currently in a revision process, having formally*
9 *published a Notice of Intent to revise prior to October 1,*
10 *1997; those national forests having been court-ordered to re-*
11 *vise; those national forests where plans reach the fifteen year*
12 *legally mandated date to revise before or during calendar*
13 *year 2000; national forests within the Interior Columbia*
14 *Basin Ecosystem study area; and the White Mountain Na-*
15 *tional Forest are exempt from this section and may use*
16 *funds in this Act and proceed to complete the forest plan*
17 *revision in accordance with current forest planning regula-*
18 *tions.*

19 *SEC. 321. No part of any appropriation contained in*
20 *this Act shall be expended or obligated to complete and issue*
21 *the five-year program under the Forest and Rangeland Re-*
22 *newable Resources Planning Act.*

23 *SEC. 322. (a) In providing services or awarding finan-*
24 *cial assistance under the National Foundation on the Arts*
25 *and the Humanities Act of 1965 from funds appropriated*

1 *under this Act, the Chairperson of the National Endowment*
2 *for the Arts shall ensure that priority is given to providing*
3 *services or awarding financial assistance for projects, pro-*
4 *ductions, workshops, or programs that serve underserved*
5 *populations.*

6 *(b) In this section:*

7 *(1) The term “underserved population” means a*
8 *population of individuals who have historically been*
9 *outside the purview of arts and humanities programs*
10 *due to factors such as a high incidence of income*
11 *below the poverty line or to geographic isolation.*

12 *(2) The term “poverty line” means the poverty*
13 *line (as defined by the Office of Management and*
14 *Budget, and revised annually in accordance with sec-*
15 *tion 673(2) of the Community Services Block Grant*
16 *Act (42 U.S.C. 9902(2)) applicable to a family of the*
17 *size involved.*

18 *(c) In providing services and awarding financial as-*
19 *sistance under the National Foundation on the Arts and*
20 *Humanities Act of 1965 with funds appropriated by this*
21 *Act, the Chairperson of the National Endowment for the*
22 *Arts shall ensure that priority is given to providing services*
23 *or awarding financial assistance for projects, productions,*
24 *workshops, or programs that will encourage public knowl-*

1 *edge, education, understanding, and appreciation of the*
2 *arts.*

3 *(d) With funds appropriated by this Act to carry out*
4 *section 5 of the National Foundation on the Arts and Hu-*
5 *manities Act of 1965—*

6 *(1) the Chairperson shall establish a grant cat-*
7 *egory for projects, productions, workshops, or pro-*
8 *grams that are of national impact or availability or*
9 *are able to tour several States;*

10 *(2) the Chairperson shall not make grants ex-*
11 *ceeding 15 percent, in the aggregate, of such funds to*
12 *any single State, excluding grants made under the*
13 *authority of paragraph (1);*

14 *(3) the Chairperson shall report to the Congress*
15 *annually and by State, on grants awarded by the*
16 *Chairperson in each grant category under section 5 of*
17 *such Act; and*

18 *(4) the Chairperson shall encourage the use of*
19 *grants to improve and support community-based*
20 *music performance and education.*

21 *SEC. 323. None of the funds in this Act may be used*
22 *for planning, design or construction of improvements to*
23 *Pennsylvania Avenue in front of the White House without*
24 *the advance approval of the House and Senate Committees*
25 *on Appropriations.*

1 *SEC. 324. Notwithstanding any other provision of law,*
2 *none of the funds provided in this Act to the Indian Health*
3 *Service or Bureau of Indian Affairs may be used to enter*
4 *into any new or expanded self-determination contract or*
5 *grant or self-governance compact pursuant to the Indian*
6 *Self-Determination Act of 1975, as amended, for any activi-*
7 *ties not previously covered by such contracts, compacts or*
8 *grants. Nothing in this section precludes the continuation*
9 *of those specific activities for which self-determination and*
10 *self-governance contracts, compacts and grants currently*
11 *exist or the renewal of contracts, compacts and grants for*
12 *those activities; implementation of section 325 of Public*
13 *Law 105–83 (111 Stat. 1597); or compliance with 25*
14 *U.S.C. 2005.*

15 *SEC. 325. Amounts deposited during fiscal year 1999*
16 *in the roads and trails fund provided for in the fourteenth*
17 *paragraph under the heading “FOREST SERVICE” of the*
18 *Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall*
19 *be used by the Secretary of Agriculture, without regard to*
20 *the State in which the amounts were derived, to repair or*
21 *reconstruct roads, bridges, and trails on National Forest*
22 *System lands or to carry out and administer projects to*
23 *improve forest health conditions, which may include the re-*
24 *pair or reconstruction of roads, bridges, and trails on Na-*
25 *tional Forest System lands in the wildland-community*

1 interface where there is an abnormally high risk of fire. The
2 projects shall emphasize reducing risks to human safety and
3 public health and property and enhancing ecological func-
4 tions, long-term forest productivity, and biological integ-
5 rity. The Secretary shall commence the projects during fis-
6 cal year 2000, but the projects may be completed in a subse-
7 quent fiscal year. Funds shall not be expended under this
8 section to replace funds which would otherwise appro-
9 priately be expended from the timber salvage sale fund.
10 Nothing in this section shall be construed to exempt any
11 project from any environmental law.

12 SEC. 326. *HARDWOOD TECHNOLOGY TRANSFER AND*
13 *APPLIED RESEARCH.* (a) *The Secretary of Agriculture*
14 *(hereinafter the “Secretary”)* *is hereby and hereafter au-*
15 *thorized to conduct technology transfer and development,*
16 *training, dissemination of information and applied re-*
17 *search in the management, processing and utilization of the*
18 *hardwood forest resource. This authority is in addition to*
19 *any other authorities which may be available to the Sec-*
20 *retary including, but not limited to, the Cooperative For-*
21 *estry Assistance Act of 1978, as amended (16 U.S.C. 2101*
22 *et. seq.), and the Forest and Rangeland Renewable Re-*
23 *sources Act of 1978, as amended (16 U.S.C. 1600–1614).*

24 (b) *In carrying out this authority, the Secretary may*
25 *enter into grants, contracts, and cooperative agreements*

1 *with public and private agencies, organizations, corpora-*
2 *tions, institutions and individuals. The Secretary may ac-*
3 *cept gifts and donations pursuant to the Act of October 10,*
4 *1978 (7 U.S.C. 2269) including gifts and donations from*
5 *a donor that conducts business with any agency of the De-*
6 *partment of Agriculture or is regulated by the Secretary*
7 *of Agriculture.*

8 (c) *The Secretary is hereby and hereafter authorized*
9 *to operate and utilize the assets of the Wood Education and*
10 *Resource Center (previously named the Robert C. Byrd*
11 *Hardwood Technology Center in West Virginia) as part of*
12 *a newly formed “Institute of Hardwood Technology Trans-*
13 *fer and Applied Research” (hereinafter the “Institute”). The*
14 *Institute, in addition to the Wood Education and Resource*
15 *Center, will consist of a Director, technology transfer spe-*
16 *cialists from State and Private Forestry, the Forestry*
17 *Sciences Laboratory in Princeton, West Virginia, and any*
18 *other organizational unit of the Department of Agriculture*
19 *as the Secretary deems appropriate. The overall manage-*
20 *ment of the Institute will be the responsibility of the USDA*
21 *Forest Service, State and Private Forestry.*

22 (d) *The Secretary is hereby and hereafter authorized*
23 *to generate revenue using the authorities provided herein.*
24 *Any revenue received as part of the operation of the Insti-*
25 *tute shall be deposited into a special fund in the Treasury*

1 of the United States, known as the “Hardwood Technology
2 Transfer and Applied Research Fund”, which shall be
3 available to the Secretary until expended, without further
4 appropriation, in furtherance of the purposes of this section,
5 including upkeep, management, and operation of the Insti-
6 tute and the payment of salaries and expenses.

7 (e) There are hereby and hereafter authorized to be ap-
8 propriated such sums as necessary to carry out the provi-
9 sions of this section.

10 SEC. 327. No timber in Region 10 of the Forest Service
11 shall be advertised for sale which, when using domestic
12 Alaska western red cedar selling values and manufacturing
13 costs, fails to provide at least 60 percent of normal profit
14 and risk of the appraised timber, except at the written re-
15 quest by a prospective bidder. Program accomplishments
16 shall be based on volume sold. Should Region 10 sell, in
17 fiscal year 2000, the annual average portion of the decadal
18 allowable sale quantity called for in the current Tongass
19 Land Management Plan which provides greater than 60
20 percent of normal profit and risk at the time of the sale
21 advertisement, all of the western red cedar timber from those
22 sales which is surplus to the needs of domestic processors
23 in Alaska, shall be made available to domestic processors
24 in the contiguous 48 United States based on values in the
25 Pacific Northwest as determined by the Forest Service and

1 *stated in the timber sale contract. Should Region 10 sell,*
2 *in fiscal year 2000, less than the annual average portion*
3 *of the decadal allowable sale quantity called for in the cur-*
4 *rent Tongass Land Management Plan meeting the 60 per-*
5 *cent of normal profit and risk standard at the time of sale*
6 *advertisement, the volume of western red cedar timber*
7 *available to domestic processors at rates specified in the*
8 *timber sale contract in the contiguous 48 states shall be that*
9 *volume: (i) which is surplus to the needs of domestic proc-*
10 *essors in Alaska; and (ii) is that percent of the surplus west-*
11 *ern red cedar volume determined by calculating the ratio*
12 *of the total timber volume which has been sold on the*
13 *Tongass to the annual average portion of the decadal allow-*
14 *able sale quantity called for in the current Tongass Land*
15 *Management Plan. The percentage shall be calculated by*
16 *Region 10 on a rolling basis as each sale is sold. (For pur-*
17 *poses of this amendment, a “rolling basis” shall mean that*
18 *the determination of how much western red cedar is eligible*
19 *for sale to various markets shall be made at the time each*
20 *sale is awarded.) Western red cedar shall be deemed “sur-*
21 *plus to the needs of domestic processors in Alaska” when*
22 *the timber sale holder has presented to the Forest Service*
23 *documentation of the inability to sell western red cedar logs*
24 *from a given sale to domestic Alaska processors at a price*
25 *equal to or greater than the log selling value stated in the*

1 *contract. All additional western red cedar volume not sold*
2 *to Alaska or contiguous 48 United States domestic proc-*
3 *essors may be exported to foreign markets at the election*
4 *of the timber sale holder. All Alaska yellow cedar may be*
5 *sold at prevailing export prices at the election of the timber*
6 *sale holder.*

7 *SEC. 328. For fiscal year 2000, the Secretary of Agri-*
8 *culture, with respect to lands within the National Forest*
9 *System, and the Secretary of the Interior, with respect to*
10 *lands under the jurisdiction of the Bureau of Land Manage-*
11 *ment, shall use the best available scientific and commercial*
12 *data in amending or revising resource management plans*
13 *for, and offering sales, issuing leases, or otherwise author-*
14 *izing or undertaking management activities on, lands*
15 *under their respective jurisdictions: Provided, That the Sec-*
16 *retaries may at their discretion determine whether any ad-*
17 *ditional information concerning wildlife resources shall be*
18 *collected prior to approving any such plan, sale, lease or*
19 *other activity, and, if so, the type of, and collection proce-*
20 *dures for, such information.*

21 *SEC. 329. The Secretary of Agriculture and the Sec-*
22 *retary of the Interior shall:*

23 *(a) prepare the report required of them by sec-*
24 *tion 323(a) of the Fiscal Year 1998 Interior and Re-*

lated Agencies Appropriations Act (Public Law 105–83; 111 Stat. 1543, 1596–7);

(b) make the report available for public comment for a period of not less than 120 days; and

(c) include the information contained in the report and a detailed response or responses to any such public comment in any final environmental impact statement associated with the Interior Columbia Basin Ecosystem Project.

SEC. 330. Section 7 of the Service Contract Act (SCA), 41 U.S.C. section 356 is amended by adding the following paragraph:

“(8) any concession contract with Federal land management agencies, the principal purpose of which is the provision of recreational services to the general public, including lodging, campgrounds, food, stores, guiding, recreational equipment, fuel, transportation, and skiing, provided that this exemption shall not affect the applicability of the Davis-Bacon Act, 40 U.S.C. section 276a et seq., to construction contracts associated with these concession contracts.”.

SEC. 331. *TIMBER AND SPECIAL FOREST PRODUCTS.*

(a) *DEFINITION OF SPECIAL FOREST PRODUCT.*—For purposes of this section, the term “special forest product” means any vegetation or other life forms, such as mush-

1 rooms and fungi that grows on National Forest System
2 lands, excluding trees, animals, insects, or fish except as
3 provided in regulations issued under this section by the Sec-
4 retary of Agriculture.

5 (b) *FAIR MARKET VALUE FOR SPECIAL FOREST PROD-*
6 *UCTS.*—The Secretary of Agriculture shall develop and im-
7 plement a pilot program to charge and collect not less than
8 the fair market value for special forest products harvested
9 on National Forest System lands. The authority for this
10 pilot program shall be for fiscal years 2000 through 2004.
11 The Secretary of Agriculture shall establish appraisal meth-
12 ods and bidding procedures to ensure that the amounts col-
13 lected for special forest products are not less than fair mar-
14 ket value.

15 (c) *FEES.*—

16 (1) *IN GENERAL.*—The Secretary of Agriculture
17 shall charge and collect from persons who harvest spe-
18 cial forest products all costs to the Department of Ag-
19 riculture associated with the granting, modifying, or
20 monitoring the authorization for harvest of the special
21 forest products, including the costs of any environ-
22 mental or other analysis.

23 (2) *SECURITY.*—The Secretary of Agriculture
24 may require a person that is assessed a fee under this
25 subsection to provide security to ensure that the Sec-

retary of Agriculture receives fees authorized under this subsection from such person.

(d) *WAIVER.*—The Secretary of Agriculture may waive the application of subsection (b) or subsection (c) pursuant to such regulations as the Secretary of Agriculture may prescribe.

(e) *COLLECTION AND USE OF FUNDS.*—

(1) Funds collected in accordance with subsection (b) and subsection (c) shall be deposited into a special account in the Treasury of the United States.

(2) Funds deposited into the special account in the Treasury in accordance with this section in excess of the amounts collected for special forest products during fiscal year 1999 shall be available for expenditure by the Secretary of Agriculture on October 1, 2000 without further appropriation, and shall remain available until expended to pay for—

(A) in the case of funds collected pursuant to subsection (b), the costs of conducting inventories of special forest products, monitoring and assessing the impacts of harvest levels and methods, and for restoration activities, including any necessary vegetation; and

1 (B) in the case of fees collected pursuant to
2 subsection (c), the costs for which the fees were
3 collected.

4 (3) Amounts collected in accordance with sub-
5 section (b) and subsection (c) shall not be taken into
6 account for the purposes of the sixth paragraph under
7 the heading of “Forest Service” of the Act of May 23,
8 1908 (16 U.S.C. § 500); section 13 of the Act of
9 March 1, 1911 (16 U.S.C. § 500); the Act of March
10 4, 1913 (16 U.S.C. § 501); the Act of July 22, 1937
11 (7 U.S.C. § 1012); the Acts of August 8, 1937 and of
12 May 24, 1939 (43 U.S.C. §§ 1181 et. seq.); the Act
13 of June 14, 1926 (43 U.S.C. § 869–4); chapter 69 of
14 title 31 United States Code; section 401 of the Act of
15 June 15, 1935 (16 U.S.C. § 715s); the Land and
16 Water Conservation Fund Act of 1965 (16 U.S.C. §
17 460l–6a); and any other provision of law relating to
18 revenue allocation.

19 SEC. 332. Title III, section 3001 of Public Law 106–
20 31 is amended by inserting after the word “Alabama,” the
21 following phrase “in fiscal year 1999 or 2000”.

22 SEC. 333. The authority to enter into stewardship and
23 end result contracts provided to the Forest Service in ac-
24 cordance with Section 347 of Title III of Section 101(e)
25 of Division A of Public Law 105–825 is hereby expanded

1 *to authorize the Forest Service to enter into an additional*
 2 *9 contracts in Region One.*

3 *SEC. 334. LOCAL EXEMPTIONS FROM FOREST SERV-*
 4 *ICE DEMONSTRATION PROGRAM FEES. Section 6906 of Title*
 5 *31, United States Code, is amended—*

6 *(1) by inserting “(a) IN GENERAL.—” before*
 7 *“Necessary”; and*

8 *(2) by adding at the end the following:*

9 *“(b) LOCAL EXEMPTIONS FROM DEMONSTRATION*
 10 *PROGRAM FEES.—*

11 *“(1) IN GENERAL.—Each unit of general local*
 12 *government that lies in whole or in part within the*
 13 *White Mountain National Forest and persons residing*
 14 *within the boundaries of that unit of general local*
 15 *government shall be exempt during that fiscal year*
 16 *from any requirement to pay a Demonstration Pro-*
 17 *gram Fee (parking permit or passport) imposed by*
 18 *the Secretary of Agriculture for access to the Forest.*

19 *“(2) ADMINISTRATION.—The Secretary of Agri-*
 20 *culture shall establish a method of identifying persons*
 21 *who are exempt from paying user fees under para-*
 22 *graph (1). This method may include valid form of*
 23 *identification including a drivers license.”.*

24 *SEC. 335. MILLSITES OPINION. PROHIBITION ON*
 25 *MILLSITE LIMITATIONS.—Notwithstanding the opinion*

1 dated November 7, 1997, by the Solicitor of the Department
2 of the Interior concerning millsites under the general min-
3 ing law (referred to in this section as the “opinion”), in
4 accordance with the millsite provisions of the Bureau of
5 Land Management’s Manual Sec. 3864.1.B (dated 1991),
6 the Bureau of Land Management Handbook for Mineral
7 Examiners H–3890–1, page III–8 (dated 1989), and section
8 2811.33 of the Forest Service Manual (dated 1990), the De-
9 partment of the Interior and the Department of Agriculture
10 shall not limit the number or acreage of millsites based on
11 the ratio between the number or acreage of millsites and
12 the number or acreage of associated lode or placer claims
13 for any fiscal year.

14 SEC. 336. Notwithstanding section 343 of Public Law
15 105–83, increases in recreation residence fees may be imple-
16 mented in fiscal year 2000: Provided, That such an increase
17 would not result in a fee that exceeds 125 percent of the
18 fiscal year 1998 fee.

19 SEC. 337. No federal monies appropriated for the pur-
20 chase of land by the Forest Service in the Columbia River
21 Gorge National Scenic Area (“CRGNSA”) may be used un-
22 less the Forest Service complies with the acquisition pro-
23 tocol set out in this section:

24 (a) PURCHASE OPTION REQUIREMENT.—Upon
25 the Forest Service making a determination that the

1 *agency intends to pursue purchase of land or an in-*
2 *terest in land located within the boundaries of the*
3 *CRGNSA, the Forest Service and the owner of the*
4 *land or interest in land to be purchased shall enter*
5 *into a written purchase option agreement in which*
6 *the landowner agrees to retain ownership of the inter-*
7 *est in land to be acquired for a period not to exceed*
8 *one year. In return, the Forest Service shall agree to*
9 *abide by the bargaining and arbitration process set*
10 *out in this section.*

11 (b) *OPT OUT.*—*After the Forest Service and*
12 *landowner have entered into the purchase option*
13 *agreement, the landowner may at any time prior to*
14 *federal acquisition voluntarily opt out of the purchase*
15 *option agreement.*

16 (c) *SELECTION OF APPRAISERS.*—*Once the land-*
17 *owner and Forest Service both have executed the re-*
18 *quired purchase option, the landowner and Forest*
19 *Service each shall select an appraiser to appraise the*
20 *land or interest in land described in the purchase op-*
21 *tion. The landowner and Forest Service both shall in-*
22 *struct their appraiser to estimate the fair market*
23 *value of the land or interest in land to be acquired.*
24 *The landowner and Forest Service both shall instruct*
25 *their appraiser to comply with the Uniform Ap-*

1 *praisal Standards for Federal Land Acquisitions*
2 *(Interagency Land Acquisition Conference 1992) and*
3 *Public Law 91–646 as amended. Both appraisers*
4 *shall possess qualifications consistent with state regu-*
5 *latory requirements that meet the intent of Title XI,*
6 *Financial Institutions Reform, Recovery, and En-*
7 *forcement Act of 1989.*

8 (d) *PERIOD TO COMPLETE APPRAISALS.—The*
9 *landowner and Forest Service each shall be allowed a*
10 *period of 180 days to provide to the other an ap-*
11 *praisal of the land or interest in land described in the*
12 *purchase option. This 180-day period shall commence*
13 *upon execution of a purchase option by the landowner*
14 *and the Forest Service.*

15 (e) *BARGAINING PERIOD.—Once the landowner*
16 *and Forest Service each have provided to the other a*
17 *completed appraisal, a 45-day period of good faith*
18 *bargaining and negotiation shall commence. If the*
19 *landowner and Forest Service cannot agree within*
20 *this period on the proper purchase price to be paid*
21 *by the United States for the land or interest in land*
22 *described in the purchase option, the landowner may*
23 *request arbitration under subsection (f) of this section.*

24 (f) *ARBITRATION PROCESS.—If a landowner and*
25 *the Forest Service are unable to reach a negotiated*

1 settlement on value within the 45-day period of good
2 faith bargaining and negotiation, during the 10 days
3 following this period of good faith bargaining and ne-
4 gotiation the landowner may request arbitration. The
5 process for arbitration shall commence with each
6 party submitting its appraisal and a copy of this leg-
7 islation, and only its appraisal and a copy of this
8 legislation, to the arbitration panel within 10 days
9 following the receipt by the Forest Service of the re-
10 quest for arbitration. The arbitration panel shall
11 render a written advisory decision on value within 45
12 days of receipt of both appraisals. This advisory deci-
13 sion shall be forwarded to the Secretary of Agriculture
14 by the arbitration panel with a recommendation to
15 the Secretary that if the land or interest in land at
16 issue is to be purchased that the United States pay
17 a sum certain for the land or interest in land. This
18 sum certain shall fall within the value range estab-
19 lished by the two appraisals. Costs of employing the
20 arbitration panel shall be divided equally between the
21 Forest Service and the landowner, unless the arbitra-
22 tion panel recommends either the landowner or the
23 Forest Service bear the entire cost of employing the
24 arbitration panel. The arbitration panel shall not
25 make such a recommendation unless the panel finds

1 *that one of the appraisals submitted fails to conform*
2 *to the Uniform Appraisal Standard for Federal Land*
3 *Acquisition (Interagency Land Acquisition Conference*
4 *1992). In no event, shall the cost of employing the ar-*
5 *bitration panel exceed \$10,000.*

6 *(g) ARBITRATION PANEL.—The arbitration panel*
7 *shall consist of one appraiser and two lawyers who*
8 *have substantial experience working with the purchase*
9 *of land and interests in land by the United States.*
10 *The Secretary is directed to ask the Federal Center for*
11 *Dispute Resolution at the American Arbitration Asso-*
12 *ciation to develop lists of no less than ten appraisers*
13 *and twenty lawyers who possess substantial experi-*
14 *ence working with federal land purchases to serve as*
15 *third-party neutrals in the event arbitration is re-*
16 *quested by a landowner. Selection of the arbitration*
17 *panel shall be made by mutual agreement of the For-*
18 *est Service and landowner. If mutual agreement can-*
19 *not be reached on one or more panel members, selec-*
20 *tion of the remaining panel members shall be by blind*
21 *draw once each party has been allowed the oppor-*
22 *tunity to strike up to 25 percent of the third-party*
23 *neutrals named on either list. Of the funds available*
24 *to the Forest Service, up to \$15,000 shall be available*
25 *to the Federal Center for Dispute Resolution to cover*

1 *the initial cost of establishing this program. Once es-*
2 *tablished, costs of administering the program shall be*
3 *borne by the Forest Service, but shall not exceed*
4 *\$5,000 a year.*

5 (h) QUALIFICATIONS OF THIRD-PARTY
6 NEUTRALS.—*Each appraiser selected by the Federal*
7 *Dispute Resolution Center, in addition to possessing*
8 *substantial experience working with federal land pur-*
9 *chases, shall possess qualifications consistent with*
10 *state regulatory requirements that meet the intent of*
11 *Title XI, Financial Institutions Reform, Recovery &*
12 *Enforcement Act of 1989. Each lawyer selected by the*
13 *Federal Dispute Resolution Center, in addition to*
14 *possessing substantial experience working with federal*
15 *land purchases, shall be an active member in good*
16 *standing of the bar of one of the 50 states or the Dis-*
17 *trict of Columbia.*

18 (i) DECISION REQUIRED BY THE SECRETARY OF
19 AGRICULTURE.—*Upon receipt of a recommendation*
20 *by an arbitration panel appointed under subsection*
21 *(g), the Secretary of Agriculture shall notify the land-*
22 *owner and the CRGNSA of the day the recommenda-*
23 *tion was received. The Secretary shall make a deter-*
24 *mination to adopt or reject the arbitration panel's*
25 *advisory decision and notify the landowner and the*

1 *CRGNSA of this determination within 45 days of re-*
2 *ceipt of the advisory decision.*

3 (j) *ADMISSABILITY.*—*Neither the fact that arbi-*
4 *tration pursuant to this act has occurred nor the rec-*
5 *ommendation of the arbitration panel shall be admis-*
6 *sible in any court or administrative proceeding.*

7 (k) *EXPIRATION DATE.*—*This act shall expire on*
8 *October 1, 2002.*

9 *SEC. 338. A project undertaken by the Forest Service*
10 *under the Recreation Fee Demonstration Program as au-*
11 *thorized by Section 315 of the Department of the Interior*
12 *and Related Agencies Appropriations Act for Fiscal Year*
13 *1996, as amended, shall not result in—*

14 (1) *displacement of the holder of an authoriza-*
15 *tion to provide commercial recreation services on Fed-*
16 *eral lands. Prior to initiating any project, the Sec-*
17 *retary shall consult with potentially affected holders*
18 *to determine what impacts the project may have on*
19 *the holders. Any modifications to the authorization*
20 *shall be made within the terms and conditions of the*
21 *authorization and authorities of the impacted agency.*

22 (2) *the return of a commercial recreation service*
23 *to the Secretary for operation when such services have*
24 *been provided in the past by a private sector pro-*
25 *vider, except when—*

1 (A) the private sector provider fails to bid
2 on such opportunities,

3 (B) the private sector provider terminates
4 its relationship with the agency, or,

5 (C) the agency revokes the permit for non-
6 compliance with the terms and conditions of the
7 authorization.

8 In such cases, the agency may use the Recreation Fee Dem-
9 onstration Program to provide for operations until a subse-
10 quent operator can be found through the offering of a new
11 prospectus.

12 SEC. 339. NATIONAL FOREST-DEPENDENT RURAL
13 COMMUNITIES ECONOMIC DIVERSIFICATION. (a) FINDINGS
14 AND PURPOSES.—Section 2373 of the National Forest-De-
15 pendent Rural Communities Economic Diversification Act
16 of 1990 (7 U.S.C. 6611) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2), by striking “national
19 forests” and inserting “National Forest System
20 land”;

21 (B) in paragraph (4), by striking “the na-
22 tional forests” and inserting “National Forest
23 System land”;

24 (C) in paragraph (5), by striking “forest re-
25 sources” and inserting “natural resources”; and

(D) in paragraph (6), by striking “national forest resources” and inserting “National Forest System land resources”; and
 (2) in subsection (b)(1)—

(A) by striking “national forests” and inserting “National Forest System land”; and

(B) by striking “forest resources” and inserting “natural resources”.

(b) *DEFINITIONS.*—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking “forestry” and inserting “natural resources”.

(c) *RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.*—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking “forestry” and inserting “natural resources”; and

(2) in the second and third sentences, by striking “national forest resources” and inserting “National Forest System land resources”.

(d) *ACTION PLAN IMPLEMENTATION.*—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

1 (1) by striking “forest resources” and inserting
2 “natural resources”; and

3 (2) by striking “national forest resources” and
4 inserting “National Forest System land resources”.

5 (e) *TRAINING AND EDUCATION*.—Paragraphs (3) and
6 (4) of section 2377(a) of the National Forest-Dependent
7 Rural Communities Economic Diversification Act of 1990
8 (7 U.S.C. 6615(a)) are amended by striking “national forest
9 resources” and inserting “National Forest System land re-
10 sources”.

11 (f) *LOANS TO ECONOMICALLY DISADVANTAGED RURAL*
12 *COMMUNITIES*.—Paragraphs (2) and (3) of section 2378(a)
13 of the National Forest-Dependent Rural Communities Eco-
14 nomic Diversification Act of 1990 (7 U.S.C. 6616(a)) are
15 amended by striking “national forest resources” and insert-
16 ing “National Forest System land resources”.

17 *SEC. 340. INTERSTATE 90 LAND EXCHANGE.* (a) *Sec-*
18 *tion 604(a) of the Interstate 90 Land Exchange Act of 1998*
19 *(105 Pub. L. 277; 12 Stat. 2681–326 (1998)) is hereby*
20 *amended by adding at the end of the first sentence: “except*
21 *title to offered lands and interests in lands described in sec-*
22 *tion 605(c)(2) (Q), (R), (S), and (T) must be placed in es-*
23 *crow by Plum Creek, according to terms and conditions ac-*
24 *ceptable to the Secretary and Plum Creek, for a three-year*
25 *period beginning on the later of the date of enactment of*

1 *this Act or consummation of the exchange. During the pe-*
2 *riod the lands are held in escrow, Plum Creek shall not un-*
3 *dertake any activities on these lands, except for fire suppres-*
4 *sion and road maintenance, without the approval of the*
5 *Secretary, which shall not be unreasonably withheld”.*

6 (b) *Section 604(b) of the Interstate 90 Land Exchange*
7 *Act of 1998 (105 Pub. L. 277; 12 Stat. 2681–326 (1998))*
8 *is hereby amended by inserting after the words “offered*
9 *land” the following: “as provided in section 604(a), and*
10 *placement in escrow of acceptable title to the offered lands*
11 *described in section 605(c)(2) (Q), (R), (S), and (T)”.*

12 (c) *Section 604(b) is further amended by adding the*
13 *following at the end of the first sentence: “except Township*
14 *19 North, Range 10 East, W.M., Section 4, Township 20*
15 *North, Range 10 East, W.M., Section 32, and Township 21*
16 *North, Range 14 East, W.M., W¹/₂W¹/₂ of Section 16, which*
17 *shall be retained by the United States”. The appraisal ap-*
18 *proved by the Secretary of Agriculture on July 14, 1999*
19 *(the “Appraisal”) shall be adjusted by subtracting the val-*
20 *ues determined for Township 19 North, Range 10 East,*
21 *W.M., Section 4 and Township 20 North, Range 10 East,*
22 *W.M., Section 32 during the Appraisal process in the con-*
23 *text of the whole estate to be conveyed.*

24 (d) *After adjustment of the Appraisal, the values of*
25 *the offered and selected lands, including the offered lands*

1 *held in escrow, shall be equalized as provided in section*
2 *605(c) except that the Secretary also may equalize values*
3 *through the following, including any combination thereof—*

4 (1) *conveyance of any other lands under the ju-*
5 *risdiction of the Secretary acceptable to Plum Creek*
6 *and the Secretary after compliance with all applica-*
7 *ble Federal environmental and other laws; and*

8 (2) *to the extent sufficient acceptable lands are*
9 *not available pursuant to paragraph (1) of this sub-*
10 *section, cash payments as and to the extent funds be-*
11 *come available through appropriations, private*
12 *sources, or, if necessary, by reprogramming.*

13 (e) *The Secretary shall promptly seek to identify lands*
14 *acceptable for conveyance to equalize values under para-*
15 *graph (1) of subsection (d) and shall, not later than May*
16 *1, 2000, provide a report to Congress outlining the results*
17 *of such efforts.*

18 (f) *As funds or lands are provided to Plum Creek by*
19 *the Secretary, Plum Creek shall release to the United States*
20 *deeds for lands and interests in land held in escrow based*
21 *on the values determined during the Appraisal process in*
22 *the context of the whole estate to be conveyed. Deeds shall*
23 *be released for lands and interests in lands in the exact*
24 *reverse order listed in section 605(c)(2).*

1 (g) Section 606(d) is hereby amended to read as fol-
2 lows: “the Secretary and Plum Creek shall make the adjust-
3 ments directed in section 604(b) and consummate the land
4 exchange within 30 days of enactment of the Interstate 90
5 Land Exchange Amendment, unless the Secretary and
6 Plum Creek mutually agree to extend the consummation
7 date”.

8 SEC. 341. THE SNOQUALMIE NATIONAL FOREST
9 BOUNDARY ADJUSTMENT ACT OF 1999. (a) IN GENERAL.—
10 The boundary of the Snoqualmie National Forest is hereby
11 adjusted as generally depicted on a map entitled
12 “Snoqualmie National Forest 1999 Boundary Adjustment”
13 dated June 30, 1999. Such map, together with a legal de-
14 scription of all lands included in the boundary adjustment,
15 shall be on file and available for public inspection in the
16 office of the Chief of the Forest Service in Washington, Dis-
17 trict of Columbia. Nothing in this subsection shall limit the
18 authority of the Secretary of Agriculture to adjust the
19 boundary pursuant to section 11 of the Weeks Law of March
20 1, 1911.

21 (b) RULE FOR LAND AND WATER CONSERVATION
22 FUND.—For the purposes of section 7 of the Land and
23 Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9),
24 the boundary of the Snoqualmie National Forest, as ad-

1 *justed by subsection (a), shall be considered to be the bound-*
2 *ary of the Forest as of January 1, 1965.*

3 *SEC. 342. Section 1770(d) of the Food Security Act*
4 *of 1985 (7 U.S.C. 2276(d)) is amended by redesignating*
5 *paragraph (10) as paragraph (11) and by inserting after*
6 *paragraph (9) the following new paragraph:*

7 *“(10) section 3(e) of the Forest and Rangeland*
8 *Renewable Resources Research Act of 1978 (16 U.S.C.*
9 *1642(e));”.*

10 *SEC. 343. None of the funds appropriated or otherwise*
11 *made available by this Act may be used to implement or*
12 *enforce any provision in Presidential Executive Order*
13 *13123 regarding the Federal Energy Management Program*
14 *which circumvents or contradicts any statutes relevant to*
15 *Federal energy use and the measurement thereof, including,*
16 *but not limited to, the existing statutory mandate that life-*
17 *cycle cost effective measures be undertaken at Federal facili-*
18 *ties to save energy and reduce the operational expenditures*
19 *of the Government.*

20 *SEC. 344. The Forest Service shall use appropriations*
21 *or other funds available to the Service to—*

22 *(1) improve the control or eradication of the pine*
23 *beetles in the Rocky Mountain region of the United*
24 *States; and*

(2)(A) *conduct a study of the causes and effects of, and solutions for, the infestation of pine beetles in the Rocky Mountain region of the United States; and*

(B) submit to Congress a report on the results of the study, within 6 months of the date of enactment of this provision.

SEC. 345. None of the funds made available by this Act may be used for the physical relocation of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana.

SEC. 346. SHAWNEE NATIONAL FOREST, ILLINOIS. None of the funds made available under this Act may be used to—

(1) develop a resource management plan for the Shawnee National Forest, Illinois; or

(2) make a sale of timber for commodity purposes produced on land in the Shawnee National Forest from which the expected cost of making the timber available for sale is greater than the expected revenue to the United States from the sale.

SEC. 347. YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS. (a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related

1 *partnerships with non-Federal youth conservation corps or*
2 *entities such as the Student Conservation Association,*
3 *\$1,000,000 of the funds available to the Bureau of Land*
4 *Management under this Act, in order to increase the num-*
5 *ber of summer jobs available for youth, ages 15 through 22,*
6 *on Federal lands.*

7 **(b)** *Within six months after the date of enactment of*
8 *this Act, the Secretary of Agriculture and the Secretary of*
9 *the Interior shall jointly submit a report to the House and*
10 *Senate Committees on Appropriations and the Committee*
11 *on Energy and Natural Resources of the Senate and the*
12 *Committee on Resources of the House of Representatives*
13 *that includes the following—*

14 **(1)** *the number of youth, ages 15 through 22, em-*
15 *ployed during the summer of 1999, and the number*
16 *estimated to be employed during the summer of 2000,*
17 *through the Youth Conservation Corps, the Public*
18 *Land Corps, or a related partnership with a State,*
19 *local or nonprofit youth conservation corps or other*
20 *entities such as the Student Conservation Association;*

21 **(2)** *a description of the different types of work*
22 *accomplished by youth during the summer of 1999;*

23 **(3)** *identification of any problems that prevent*
24 *or limit the use of the Youth Conservation Corps, the*

1 *Public Land Corps, or related partnerships to accom-*
2 *plish projects described in subsection (a);*

3 *(4) recommendations to improve the use and ef-*
4 *fectiveness of partnerships described in subsection (a);*
5 *and*

6 *(5) an analysis of the maintenance backlog that*
7 *identifies the types of projects that the Youth Con-*
8 *servation Corps, the Public Land Corps, or related*
9 *partnerships are qualified to complete.*

10 *SEC. 348. Each amount of budget authority for the fis-*
11 *cal year ending September 30, 2000, provided in this Act*
12 *for payments not required by law, is hereby reduced by 0.34*
13 *percent: Provided, That such reductions shall be applied*
14 *ratably to each account, program, activity, and project pro-*
15 *vided for in this Act.*

16 *This Act may be cited as the “Department of the Inte-*
17 *rior and Related Agencies Appropriations Act, 2000”.*

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 2466

AMENDMENT